

**CLASS DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NOS: DCKA-2017-T-0051
DCKA-2017-T-0081
DCKA-2017-T-0023
DCKA-2017-T-0079
DCKA-2017-T-0106
DCKA-2017-T-0038
DCKA-2017-T-0109 (added)
DCKA-2017-T-0123 (added)
DCKA-2017-T-0055 (added)

CAPTION: Construction Engineering Support Services for Various Continuing Projects

PROPOSED CONTRACTORS: Various Construction Engineering Support and Design Consultants

PROGRAM AGENCY: District Department of Transportation (DDOT)

AUTHORITY

D.C. Code § 2-354.04, 27 DCMR 1304, 1205.1, 1700 and 1701

FINDINGS

1. MINIMUM NEED:

The Government of the District of Columbia, Department of Transportation (“District”) has a continuing need for the proposed contractors to continue to provide construction support services, including supplemental design, value engineering and Engineer-of-Record (“EOR”) services for various projects. These are generally federal-aid highway projects funded in part by the U.S. Department of Transportation, Federal Highway Administration, under Title 23 of the U.S. Code. The proposed period of performance for each EOR action is one year from Date of Award or the actual period necessary to complete design changes or related construction activities.

2. ESTIMATED FAIR AND REASONABLE PRICES:

The estimated fair and reasonable prices for each project are determined using procedures required for qualifications-based selection (QBS) processes mandated by federal and local Brooks Act requirements. Prices are negotiated on a level-of-effort basis using approved labor rates.

3. FACTS JUSTIFYING SOLE SOURCE PROCUREMENT:

A. Each of the Contractors completed construction design services for the above-referenced projects as the result of a Task Order competition awarded against the Contractor's DDOT Architectural/Engineering Services ("A/E") contract or an open market QBS selection process. As the Design Engineer of the project, the Contractor(s) became fully responsible for design of the subject project that will be constructed by the construction contractor.

B. During the construction phase, the District needs additional assistance from the design engineer including, for example, partial redesign and EOR work in reviewing construction shop drawings, reviewing bid documents, responding to construction Requests for Information and other construction design and engineering-related matters.

C. As the EOR, each Contractor is the only one capable of modifying its design without shifting associated liability to the District.

D. As a Class D&F, the attached list of design consultants serving as EOR will be updated as these needs require. Such updates will be periodically posted online and announced to the public.

E. For the above-stated reasons, the District did not conduct a market survey.

CERTIFICATION BY CHIEF ENGINEER

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Dawit Muluneh, P.E.
Chief Engineer, DDOT

CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete to the best of my knowledge and belief.

Date

Everett Lott
Acting Director, DDOT

CERTIFICATION BY CONTRACT SPECIALIST

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

Date

Jeralyn Johnson
Contract Specialist
Office of Contracting & Procurement (“OCP”)

CERTIFICATION BY CONTRACTING OFFICER AND RECOMMENDATION

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the Class D&F was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for these proposed contracts.

Date

William E. Sharp, Jr.
Contracting Officer, OCP

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code §§ 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter, III
Chief Procurement Officer

Design Consultants serving as Engineer of Record:

DCKA-2017-T-0051	HNTB
DCKA-2017-T-0081	Precision Systems, Inc.
DCKA-2017-T-0023	AECOM Technical Services, Inc.
DCKA-2017-T-0079	Pennoni
DCKA-2017-T-0106	STV
DCKA-2017-T-0038	CV, Inc.
DCKA-2017-T-0109	T.Y. Lin International (added)
DCKA-2017-T-0123	Volkert Engineering(added)
DCKA-2017-T-0055	JMT (added)